

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT COLUMBIA

JOHN DOE)
v.) Case No. 1:23-cv-00002
BRIAN SPENCER) Chief Judge Campbell
) Magistrate Judge Holmes
)

O R D E R

On March 19, 2024, Defendant Brian Spencer filed a Notice of Appeal (Docket Entry No. 57), and the resulting appeal is now pending before the U.S. Court of Appeals for the Sixth Circuit. *See* USCA Case No. 24-5251; *see also* Docket Entry No. 58. On April 16, 2024, Defendant Spencer filed on the docket in this Court two copies of an appellant brief (Docket Entry Nos. 60 and 61). There is no indication that Defendant submitted the briefs for filing to the Sixth Circuit Court of Appeals. In an abundance of caution, the Clerk **SHALL FORWARD** these briefs to the Sixth Circuit Court of Appeals.¹

Although Defendant Spencer was informed in the March 20, 2024, letter from the Case Management with the Office of the Clerk for the Sixth Circuit Court of Appeals (Docket Entry No. 58) (the “March 20, 2024 letter”) that payment of the appellate filing fee or the submission of a motion for leave to proceed on appeal *in forma pauperis* are to be paid/filed with this Court, Defendant Spencer is reminded that all other submissions in connection with the pending appeal must be made directly to the Court of Appeals as instructed in the March 20, 2024 letter and not filed on the docket in this case.

¹ To be clear, the direction for the Clerk to forward the briefs as filed is without any determination or expression by this Court of the whether the briefs comply with applicable Federal Rules of Appellate Procedure or with applicable Sixth Circuit rules and instructions.

The Court will take no other action on any other filings made in this case that should have been directed or submitted to the Sixth Circuit Court of Appeals.

It is SO ORDERED.



BARBARA D. HOLMES
United States Magistrate Judge